

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION**

**VIRGINIUS REECE PHIPPS,** )  
**TRAVIS MITCHELL PHIPPS, and** )  
**CHARLIE CAROLE PHIPPS,** )  
**Plaintiff,** )

**v.** )

**BENJAMIN L. GRADY, BLAKE** )  
**WALLACE, Individually and in his** )  
**official capacity as the Sheriff** )  
**of Duplin County, and DUPLIN** )  
**COUNTY SHERIFF'S OFFICE,** )  
**Defendants. )**

**JUDGMENT**

**No. 7:17-CV-78-H**

**Decision by Court.**

This case came before the Honorable Malcolm J. Howard, Senior United States District Judge for consideration.

**IT IS ORDERED, ADJUDGED AND DECREED the motion to dismiss of Sheriff Wallace and the Sheriff's Office is granted; the claim against defendant Grady is dismissed without prejudice; and defendant Grady's motion to dismiss or for judgment on the pleadings is moot; and this case is closed.**

This Judgment Filed and Entered on March 2, 2018, with service with service via US Mail and CM/ECF Notice of Electronic Filing on:

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March 2, 2018

PETER A. MOORE, JR., CLERK  
/s/ Lisa W. Lee  
(By): Lisa W. Lee, Deputy Clerk